



ASA-5055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

A. SHIMADA et al.

Serial No. 10/771,455

Group Art Unit: 2186

Filed: February 5, 2004

Examiner: J. Barton

For: DISK ARRAY APPARATUS AND CONTROL METHOD FOR DISK
ARRAY APPARATUS

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 12, 2006

Sir:

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is

a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form(s) PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed for each foreign patent, for each publication or portion thereof that caused it to be listed, and for each pending unpublished U.S. application or portion thereof that caused it to be listed. No copy of a U.S. patent or U.S. patent application publication is needed unless required by the PTO. A copy of a document is also not needed when previously submitted or previously cited by the PTO in a prior application to which the present application claims a benefit under 35 U.S.C. § 120.

4. The undersigned hereby states:

(a) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or

(b) that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

6. No explanation of relevancy is being provided for the following document(s) because each is either in the English language, discussed in the present Specification, or its

relevance is as stated in a communication from a foreign patent office in a counterpart foreign application.

7. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,


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Date: April 12, 2006



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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of

Complete if Known

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|------------------------|------------------|
| Application Number | 10/771,455 |
| Filing Date | February 5, 2004 |
| First Named Inventor | Akinobu SHIMADA |
| Art Unit | 2186 |
| Examiner Name | J. Barton |
| Attorney Docket Number | ASA-5005 |

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|-----------------------|---|------------------|---|---|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | T ⁶ |
| | | JP 2001-075873 | 03-23-2001 | | X |
| | | EP 1 158 395 | 11-28-2001 | | |
| | | EP 1 276 034 | 01-15-2003 | | |
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| Examiner Signature | | Date Considered | |
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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